

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

MEMBERS PRESENT:

Brad Boyd	Mayor
Bill Merrill	Council President
Lon Kellstrom	Councilor
Sharlene Weed	Councilor
Shawna Bell	Councilor

STAFF PRESENT:

Eileen Stein	City Manager
Brad Grimm	Public Works Director
Lisa Young	Finance Director
Eric Porter	Comm. Dev. Director
Kathy Nelson	City Recorder

GUESTS:

Dave Elliott	Sisters Camp Sherman Fire District Board
Dave Marlow	Chairman, Planning Commission
Wendy Holzman	Committee for Citizen Involvement
Jim Cornelius	Editor, Sisters Nugget Newspaper

The meeting was called to order at 8:00 a.m. by Mayor Boyd.

Prior to the business meeting discussions the Council convened in the Council Chamber to discuss the microphones and proposed changes to the sound system to enhance projected and recorded sound quality. The **Council** decided to keep the current microphones but add additional soundproofing to the base of the microphone to mute non-verbal sounds such as moving papers and finger tapping being amplified.

1. Revised Burning Ordinance

Manager Stein informed the Council that the new version of the burning ban ordinance for discussion is to prohibit the burning of yard debris within city limits. She stated she had provided a copy of the revised ordinance to Sisters Camp Sherman Fire District Chief Robertson for comment and he had clarified that the Fire District would work with the City to enforce after hours and week-end burning violations by referring it to the City during business hours as soon as possible after the transgression had taken place. She stated it was an appreciated gesture by the Fire District. She stated that Dave Elliott was present representing the Fire District and asked for his comments.

Fire District Board Member Elliott stated that the perception Manager Stein described by the Fire Chief with regard to enforcement during the evening and weekends was correct but that after he presented the information to the Fire District Board, that view may change. He stated that it is admirable of the Council to try and stop the burning of yard debris, but the involvement of the Fire District to a greater degree than it already is could present a public safety hazard. He stated the ordinance mentions the Fire District in the first two “whereas” clauses, implying the Fire District is the regulatory body with regard to the ordinance. He stated that citizens that want to report a

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

yard debris burning violation often are unaware of the non-emergency number and instead will call 911 to report the infringement. He stated that a call from the 911 dispatcher mandates the Fire District follow up and go out on the call. He stated that most calls for burning violations will come in on weekends when there are only three Fire District staff members present and calling those critical staff out on a yard debris burning violation could present a public health and safety issue when valuable time could be lost responding to true emergencies. He added that some health issues such as a stroke are very time sensitive. He stated that there are State and Fire District burning regulations and as such the ordinance is not necessary. He stated that educating the public to call the City instead of the Fire District would be nearly impossible especially since a majority of calls would be after regular business hours and on weekends. He stated there is also a cost to the Fire District that needs to be recognized. Whenever the after hours and weekend staff are called out of the station, additional staff is called in, at a cost to the Fire District. He stated that ultimately the Fire District Board does not want the Fire District involved with the issue.

Councilor Weed asked what Board Member Elliott saw as a solution and he stated he had no suggestions at this time. **Councilor Merrill** asked what the Fire District does now if the weekend crew of three is called out. **Board Member Elliott** stated that other volunteers and at least one paramedic, who is always paid, are called in as backup. **Councilor Merrill** stated that the Fire District does have a solution to those types of scenarios but that the solution cost money and **Board Member Elliott** agreed.

Councilor Bell stated she knows that the City is looking to revamp the yard debris program and wondered if the City could send out a notice when the new schedule is determined and inform citizens that the City discourages burning of yard debris. She added that if the City does establish a yard debris pickup schedule and sticks with it, perhaps the burning of yard debris would lessen to a point that it is a non-issue and the ordinance could be eliminated. **Councilor Merrill** stated that everyone keeps coming up with reasons why the City can't have and enforce a yard debris burning ban. Instead, he stated, it is time to figure out how to make things work, get things done and stop the negativity. He also asked if the City ever came up with a definition of industrial waste.

Public Works Director Grimm stated that the City could send out flyers as an informational public announcement. **Nugget Newspaper Editor Jim Cornelius** stated the paper would run a press release any time to inform the public. **Councilor Merrill** stated that every controlled burn requires a copy of the burning regulations informational flyer from the Fire District on site. He suggested adding that the City of Sisters prohibits the burning of yard debris to the flyer, adding it would be a positive response.

Councilor Bell asked when the yard debris schedule would be revamped. **Director Grimm** stated it would be in FY 08/09 as there is a cost associated with providing yard debris containers to citizens. **Manager Stein** stated that with the proposal, yard debris would be picked up in a different way than it currently is.

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

Mayor Boyd asked Board Member Elliott if the ordinance removed the first two “whereas” clauses and asked the Fire District to include the verbiage suggested by Councilor Merrill in its flyer on open burning, if he felt that would be acceptable to the Fire District Board. **Board Member Elliott** stated that the Fire District had suggested a rewrite of the ordinance that removed the Fire District from the “whereas” clauses but that it had come back with the clauses intact. **Manager Stein** stated she spoke with the City Attorney about the fact the “whereas” clauses had not been removed on the rewrite and he had informed her that since the Fire District is the authority that enforces the Oregon Fire Code, it needs to be named in the ordinance.

Councilor Kellstrom stated that he feels the resolution is a solution looking for a problem. He stated he feels the City doesn’t have that big of a problem with yard debris burning and stated he feels the City should revoke the ordinance.

Councilor Bell stated that it would be fine to have an ordinance that coincides with a new yard debris pickup program but currently it is unenforceable. She stated she feels it should be timed to be adopted at a later date.

Councilor Merrill stated that not prohibiting yard debris burning could bring about unintended consequences and sited examples of private citizens in Central Oregon that had caused property damage to themselves and others when yard debris burning got out of hand. He stated that smoke is bad for the elderly, children and those with respiratory disease as well as having a negative economic effect on the City as evidenced by a drop in tourism when there is a forest fire. He stated that if there is a way to reduce the adverse health effects and make the air quality better for the community and its neighbors, the City should work towards that end. He stated that if the ordinance that prohibits weeds from growing too high was enforced then the need to burn weeds would not exist. He stated he has no problem with the first two “whereas” clauses being left as is, have the Fire District add the verbiage about no burning of yard debris and stated he feels there is no need to wait for the ordinance to wait for the yard debris pickup system to be revamped.

Councilor Kellstrom stated that picking up yard debris once a month is sufficient in his opinion. Councilor Bell agreed but stated that a past notice in the City utility bill had stated it would be a bi-monthly occurrence and has set an expectation for community members. **Manager Stein** explained that when the notice had gone out in 2006 it had been the expectation of the Public Works Department also but an increase in debris and decrease in available staff had made it impossible to maintain the schedule. **Councilor Weed** stated that if yard debris is stacking up it does feed into the issue of citizens burning the debris to alleviate the piles.

Newspaper Editor Cornelius asked how much it would cost to institute a new yard debris program. **Director Grimm** stated that it would cost \$30,000 for 95 gallon debris can. He stated that debris could then be picked up with the side loader arm truck. He stated that one staff

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

member could pick up the entire City in one day with that system, as opposed to two people working all day and only picking up one quarter of the City as they do now.

Board Member Elliott stated that if the City can't enforce the ordinance it shouldn't institute it, adding that enforcement is the issue. **Mayor Boyd** stated that he agrees with Councilor Merrill that it is not an onerous issue and should be instituted for the health and safety of citizens. He added that the February 14th workshop topic will be on code enforcement and that perhaps a discussion on the issue will provide a method to enforce the burning ban of residential yard debris by working with staff and the Fire District. **Councilor Bell** asked if Ordinance No. 375 could be repealed at this time until a solution can be resolved. **Director Grimm** stated this is not a time of year when yard debris burning is a problem. **Manager Stein** stated that between the Council goal setting session scheduled for Saturday, the code enforcement workshop and an overview of the refuse operations, perhaps the Council will be more comfortable with making a determination on the matter after those events take place. **Mayor Boyd** stated that if the issue can't be resolved before spring the Council should consider repealing Ordinance No. 375. **Mayor Boyd** thanked Board Member Elliott for his input with regard to the matter.

2. Preview 02/14/08 Regular Meeting Agenda

Manager Stein provided an overview of the upcoming workshop and regular meeting.

3. City Manager Update

Manager Stein reminded the Council that the Chamber of Commerce Black & White Ball was the following evening.

Manager Stein brought the Council's attention to the copy of the letter from Project Wildfire with regard to the Congressional Fire Caucus and her invitation to attend the event. **Councilor Weed** stated that she feels that Manager Stein should attend as a representative for the City and the Council concurred. **Manager Stein** stated it is a week long event with meetings that deal with the Healthy Forest Restoration Act and the National Fire Plan grant program.

Manager Stein directed the Council to a letter received from the Forest Service requesting another workshop with the Council or the additions to the components of the overlay for the Forest Service property. **Councilor Bell** stated she was disappointed with the letter as District Ranger Bill Anthony had been in attendance at the meeting but it appeared he had not listened. She stated he was requesting some changes that the Council had already agreed to at the workshop. She suggested drafting the overlay plan and provide a copy to the Forest Service and then allow the Forest Service to respond at that time. She stated she feels the City has demonstrated its desire for mutual agreement.

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

Community Development Director Porter stated two points of concerns with regard to the letter are to the development of the East Portal parcel and to proposing considerably more commercial for the property then the Council has directed.

Councilor Merrill stated there is another aspect to consider since the Oregon Department of Transportation (ODOT) is going to co-locate with the Forest Service on the 23 acres the Forest Service will keep. He stated the environmental impact of the additional trips generated, noise, dirt and dust might shed a different light as to what should be built on the remaining Forest Service property. He stated he feels there are many considerations that haven't been addressed and the issues surrounding the development of the Forest Service property have continued on and on. Instead of sending a letter back to the District Ranger he stated it is time to bring all the stakeholders together (Forest Service, ODOT, School District and developers) and have a discussion, answer questions and get things right.

Councilor Weed asked what was the next step that had been planned was. **Manager Stein** stated the City will be moving into the plan adoption process. **Councilor Weed** requested that include the 12 points the Council had revised. **Director Porter** stated it would be necessary to have a text change and plan amendment prior to adoption of an ordinance. He stated a hearing date in late April or early May was feasible in order to meet the 45 day hearing notice requirement. **Manager Stein** stated that District Ranger Anthony had informed her Forest Service property is scheduled to begin the bidding process in March.

Mayor Boyd stated he has a different view on the matter. He stated the City will come to an agreement on an overview of the property, it will sell and then the City will be working with the actual project. He stated he sees this step as an umbrella over the project but many details will need to be worked out with the owner ultimately. He stated that the Planning Commission will have an opportunity to weigh in as well as the public hearing to allow comment. **Councilor Bell** agreed that the revised 12 points need to be sent to District Ranger Anthony. **Manager Stein** indicated she was meeting with District Ranger Anthony the next day.

Manager Stein stated a decision on how to proceed relative to Cliff Clemens Park needed to be determined. **Director Porter** stated there are two ways to proceed with regard to the Community Garden. He stated a temporary use permit that is renewable annually would be easy and inexpensive. He stated an alternative is to modify the Parks Master Plan as it is tied to the Comprehensive Plan. He stated if that was the decision then it would make sense to revise the entire plan and not just that portion that pertains to Cliff Clemens Park. He stated the modification would be a labor intensive process. **Councilor Weed** stated it would make more sense for the Community Garden to obtain a temporary use permit at this time and work on the Parks Master Plan in a few years. **Mayor Boyd** asked if there is any public input process involved with a temporary use permit. **Director Porter** stated it is like getting a building permit where the permit is reviewed internally and a decision is given to the applicant.

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

Councilor Merrill asked if the permit would pertain only to the Community Garden or if it would also include other elements, such as fencing. **Director Porter** stated other elements could be included. **Councilor Merrill** stated he had another consideration he felt needs to be addressed. He stated that currently the garden is on privately owned land and a move to Cliff Clemens Park will move it to publicly owned property. He stated that since the Community Garden allows non-Sisters residents to have a plot, that should be considered also. **Councilor Weed** stated that everyone pays a fee to have a plot and provides labor and materials and the City shouldn't deal with the Community Garden's internal structure. **Mayor Boyd** stated allowing the garden would take a City Park and alter its use, even though anyone would be able to access the garden so he agreed the matter needs to be considered. **Councilor Weed** stated that currently anyone, whether a City resident or not, can use any park in the City.

Manager Stein stated that there is an approved site master plan for the park that includes the fencing and entrance structure and that the Kiwanis want to move forward with those improvements at any time. She stated the Kiwanis will likely be moving forward with those plans soon. **Councilor Merrill** stated the Architectural Review Committee (ARC) will also need to look at the plan as its mission is to protect the views of the neighborhood and the proposed entrance structure could be in conflict with what the ARC will allow. He stated that if other amenities are built there will be a cost associated with maintaining them. Also the Community Garden will displace other structures that are already planned for. He stated the Council needs to consider all the implications and perform due diligence before making a decision. **Councilor Bell** asked if the ARC originally weighed in on the plan and **Manager Stein** stated the ARC did.

Mayor Boyd stated the plan shows provides specific details but provides no overview. He stated he agrees the Parks Master Plan needs to be revised but it is not necessarily a priority at this time. He stated the real question is whether to permit the Kiwanis to build the entrance structure and allow a temporary use permit for the Community Garden.

Manager Stein asked if the Council would like her to pursue moving forward for an Oregon Parks grant for a restroom at Clemens Park. She stated it would require a 50% match of funds and would fall in FY 08/09. The **Council** stated they felt it was premature and to wait another year before applying.

Planning Commission Chair Dave Marlow, who was involved with the original plan from the Kiwanis for the park, suggested putting out a 30 day notice to allow for feedback from the public. The **Council** concurred. **Chair Marlow** stated he feels there is a need for a master plan for the park so there is a specific vision to work towards, even if it takes several years to complete. **Councilor Merrill** stated that the Council has discussed the Community Garden previously and decided there was a need for additional citizen input but the issue has now evolved to discussions about fencing and the entrance. He stated the Council should keep it simple and allow the garden next year with a temporary permit and deal with the fencing and entrance structure at a later time. **Manager Stein** stated she brought up the issue of the fence and entrance structure as the Kiwanis

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

have a desire to put in those improvements prior to the planned memorial service for Cliff Clemens this spring. **Councilor Merrill** stated that those items are not in the approved plan and it is a sensitive issue. Manager Stein stated the fencing and entryway were approved with the park's plan. **Councilor Weed** stated this issue has reconfirmed the need for the City to have a Parks Commission.

Councilor Merrill stated that there are significant funding issues to be decided upon and anytime the City adds resources, it costs money. He stated he feels the City should discuss the amenities at a later time when the Council has more information. **Councilor Kellstrom** stated that the memorial to Cliff Clemens is very important to the public and having it on the grass would not be well accepted by many. He added that since the Kiwanis are paying for the fence and entrance structure the only cost to the City will be for maintenance. **Manager Stein** added that input from the surrounding neighborhood indicated they are in support of fencing for the park.

Mayor Boyd provided a recap of the Council's ideas stating there is a desire to keep it simple and move forward with a temporary use permit for the Community Garden. He stated a split rail fence and entrance structure will be allowed and the remaining improvements will be discussed at a later time.

Mayor Boyd asked Wendy Holzman, Committee for Citizen Involvement (CCI) member to provide an overview about the handout she had distributed to the Council. **Ms. Holzman** stated the list provided the CCI mission statement, goals, objectives and members specific interests. She stated there will be budget considerations the committee will present in the near future.

Mayor Boyd, stating it was premature, asked if Ms. Holzman thought the CCI might be interested in dealing as the Parks Commission in the future. **Councilor Merrill** stated that Sisters Organization of Activities and Recreation (SOAR) and the Sister School District have their own taxing district and that a number of cities have a parks district. He stated the City needs to give consideration to a municipal taxing district for parks. He stated it could resolve the issue of "Sisters Country" versus city citizens paying for all the park services and there is a need to look at the costs and benefits of such an idea. **Manager Stein** stated that SOAR has been working on a strategic plan and is looking into becoming a bonafide parks and recreation district.

Councilor Weed asked for the Council to respond to the letter from the Bowlby family about the reunion they will hold this summer. **Manager Stein** stated that although the group will be staying outside city limits she will craft a letter welcoming them to the area for their family reunion from the Mayor and Council.

Councilor Weed thanked Director Porter for his followup with the Post Office with regard to the cluster mail boxes to be installed.

WORKSHOP MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
FEBRUARY 07, 2008

Councilor Weed brought up the letter that Mayor Boyd wrote to ODOT and stated that in the future she would like the Council to have an opportunity to weigh in on any letter that presents as if it is the opinion of the entire Council. She asked what had prompted the letter. **Mayor Boyd** stated that ODOT had asked for money from the State to relocate its maintenance station from its current location to a location on the Forest Service property. **Mayor Boyd** stated that it makes sense to keep the station on the west end of town and so he wrote a letter of support towards that idea. **Councilor Kellstrom** stated he feels the letter falls under the prerogative of the Mayor and he felt it was appropriate. **Mayor Boyd** stated he will make certain that in the future that the Council has an opportunity to weigh in on letters of this nature. **Councilor Merrill** stated that he feels it is important that the entire Council have an opportunity to weigh in when a policy is being established prior to the policy being announced.

Councilor Merrill stated that one of the reasons he ran for the Council was to insure that citizens are heard. He stated it is important to do research prior to making decision. He provided examples of participation from "*Putting the People into Planning*". He stated that what he has seen is that the Council needs to be better at due diligence and research so they can deal with matters only once and do things right.

Chair Marlow stated he feels the draft for the Forest Service property needs community and Planning Commission input. **Mayor Boyd** stated there have been several opportunities for community input and that it was unfortunate that none of the planning commissioners were able to attend the visioning workshop, held in October for the Forest Service property. **Director Porter** stated he will provide an outline of the details from that event to the Planning Commission. **Councilor Bell** suggested that instead of the providing the revised 12 points to the Forest Service, an outline of the process might be more appropriate. **Mayor Boyd** agreed, stating it will establish when the Forest Service can weigh in on the issue.

The meeting was adjourned at 10:03 a.m.

Respectfully submitted,

Kathy Nelson, City Recorder

Brad Boyd, Mayor